

425-201

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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#2/Pre-A  
JR  
9/03/97

EM 317 984 001 US

May 13, 1997

Date of Deposit

"Express Mail" mailing label number

I hereby certify that this application is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

TINA SIPES

(Typed or printed name of person mailing application)

(Signature of person mailing application)

Prior Application:

Examiner: J. Ulm

Art Unit 1812

Anticipated Classification of this Application:

Class

Subclass

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

1105 U.S. PTO  
08/855402  
05/13/97

Sir:

FILING UNDER 37 C.F.R. 1.60 WITHOUT  
ABANDONMENT OF THE PENDING PRIOR APPLICATION

This is a request for filing a ☒ continuation, ☐ divisional patent application, under 37 C.F.R. 1.60, of prior application Serial No. 08/366,051 filed on December 29, 1994 of inventors Christopher A. Bradfield, Kristin M. Dolwick, and Lucy A. Carver entitled Ah Receptor cDNA and Genetically Engineered Cells For Detecting Agonists To The Ah Receptor and which is not being abandoned at this time.

1. ☒ Enclosed is a copy of the above-identified prior application, including the specification (including the claim or claims), the drawings (if the prior application included drawings), the signed oath or declaration, and any amendments referred to in the oath or declaration filed to complete the prior application. I hereby verify that these enclosed papers are a true copy of what is shown in my records to be the above-identified prior application and that no amendments referred to in any oath or declaration that may have been filed to complete the prior application introduced new matter therein.
2. ☒ The filing fee is calculated below on the basis of the claims existing in the prior application and, if applicable, as amended at Item 5, below, to the extent that the amendments reduce the number of claims.

CLAIMS	Claim Type	Number Filed	Number Extra	Rate	Calculations
	Total Claims	18 - 20 =	0	X \$ 22.00	\$
	Independent Claims	4 - 3 =	1	X \$80.00	\$80.00
	Multiple Dependent Claim(s) (if applicable)			+ \$260.00	\$
				Basic Fee	\$770.00
	Total of Above Calculations				\$850.00
	Reduction by 1/2 for filing by small entity (Note 37 C.F.R. 1.9, 1.27, 1.28), if applicable, affidavit must be filed also.				\$425.00
	TOTAL FEE				\$425.00

3. Method Of Payment Of Fees

- a. ☒ A check in the amount of \$ 425.00 to cover the filing fee is enclosed.
- b. ☐ Please charge my Deposit Account No. 04-1644 in the amount of \$ \_\_\_\_\_.  
A duplicate of this request is attached.

4. Authorization To Charge Additional Fees

The Commissioner is authorized to charge payment of the following amounts associated with this communication or credit any overpayment to Deposit Account No. 04-1644:

- a. ☒ Additional filing fees under 37 CFR 1.16 or deficiencies in remittances therefor.
- b. ☒ Additional processing fees under 37 CFR 1.17 or deficiencies in remittances therefor.
- c. ☒ Any deficiency in any patent issue fee under 37 CFR 1.18 for which partial payment is made.

5. Amendment

It is understood that only amendments reducing the number of claims or adding a reference to the prior application under 37 CFR 1.78(a) will be entered before calculating the filing fee and granting the filing date.

- a. ☒ Amend the specification by inserting before the first line the sentence:

This application is a ☒ continuation, ☐ division, of application Serial No. 08/366,051,  
filed December 29, 1994.

- b. ☒ Cancel in this application original claims 3 and 7, inclusive, of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes.)
- c. ☐ A preliminary amendment is enclosed. Claims added by this amendment have been properly numbered conclusively beginning with the number next following the highest numbered original claim in the prior application.

6. ☐ Xerographic drawings are a part of the enclosed application copy identified in Item 1, above, and the drawings of the prior application are not to be transferred.

- a. ☐ New formal drawings are also enclosed.
- b. ☐ New formal drawings are not enclosed at this time.

7. ☒ The above-identified prior application is assigned of record to Northwestern University.

8. Power of Attorney

- a. ☒ The power of attorney in the above-identified prior application is to Lisa V. Mueller,  
Registration No. 38,978, and the other attorneys or agents identified in the power in the prior application.
- (I) ☒ The power of attorney appears in the original papers in the prior application.
- (ii) ☐ The power of attorney does not appear in the original papers of the prior application, and a copy of the power in the prior application is enclosed.
- b. ☐ A new power of attorney has been executed and is attached.

9. ☐ Priority of application Serial No. \_\_\_\_\_, filed on \_\_\_\_\_,  
in \_\_\_\_\_ is claimed under 36 U.S.C. 119.

10. ☐ The certified copy of the priority application Serial No. \_\_\_\_\_, identified in Item 9 above  
has been filed in the above-identified prior application Serial No. \_\_\_\_\_, filed on \_\_\_\_\_.

11. ☒ Enclosed is a copy of the verified statement(s) supporting a claim for, and/or claiming, small entity status under 37 CFR 1.9 and 37 CFR 1.27 as filed in the above-identified prior application under 37 CFR 1.28(a), and such small entity status is claimed in this application.
12. ☐ An original executed verified statement(s) supporting a claim for, and/or claiming, small entity status under 37 CFR 1.9 and 37 CFR 1.27 is enclosed.
13. ☐ A petition fee, and response has been filed to extend the term in the pending prior application until \_\_\_\_\_.
14. ☒ Also enclosed:

Sequence Listing on a Computer Readable Diskette.

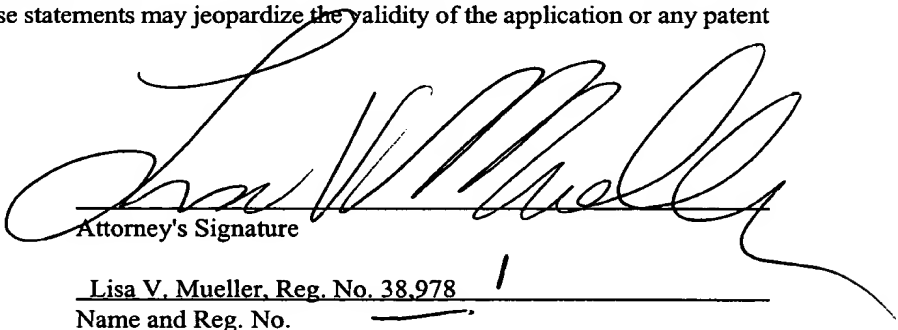
Address all future communications to:

DRESSLER, ROCKEY, MILNAMOW & KATZ, LTD.  
Two Prudential Plaza - Suite 4700  
180 North Stetson Avenue  
Chicago, Illinois 60601  
(312) 616-5400

The undersigned declares further that all statements made herein of his or her own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date

May 13, 1997

  
Attorney's Signature  
Lisa V. Mueller, Reg. No. 38,978  
Name and Reg. No.